

Notice of Public Comment Period

Proposed Decision to Identify Additional Impaired Waters and Associated Pollutants in Missouri

This public notice announces proposed decisions by the U.S. Environmental Protection Agency (EPA) identifying additional water quality-limited (i.e., impaired) water body segments and associated pollutants in Missouri to be listed pursuant to Section 303(d)(2) of the Clean Water Act (CWA). EPA requests public comment on these proposed decisions.

BACKGROUND:

Section 303(d)(2) of the Clean Water Act (CWA) requires each state to identify waters for which existing required pollution controls are insufficient to meet state water quality standards. States are required to develop a list of impaired water bodies [the 303(d) list] and submit the list to EPA for review and approval or disapproval [see 40 CFR 130.7(d)(1)]. If EPA disapproves the state's 303(d) list, it must identify the impaired waters that should be listed and issue a public notice seeking comment on EPA's listing decision. After considering public comment and making appropriate revisions, EPA is to transmit the final list to the state [see 40 CFR 130.7(d)(2)].

Missouri submitted its CWA Section 303(d) list to EPA on April 26, 2007. On September 27, 2007, EPA partially acted on Missouri's submission, approving the listing of 38 water body/pollutant pairs and the delisting of 131 water bodies and corresponding pollutants. Based on its completed review, EPA has determined that Missouri's impaired waters list partially meets the requirements of Section 303(d) of the CWA and EPA's implementing regulations. Therefore, today EPA is partially approving and partially disapproving Missouri's 2004/2006 CWA Section 303(d) list. EPA's letter to the Missouri Department of Natural Resources (MDNR) provides a detailed rationale of today's action and provides a consolidated summary of today's proposed decisions and the September 27, 2007, decision on Missouri's 303(d) list. In today's proposed decisions:

- EPA approves the listing of five water body/pollutant pairs without changes.
- EPA approves the listing of 56 water body/pollutant pairs, but is adding additional segment lengths to the list.
- EPA approves the delisting of 52 water quality-limited segments.
- EPA disapproves MDNR's decision not to list 135 water bodies and associated pollutants.
 - Specifically, EPA is disapproving the removal by MDNR of 49 water bodies or pollutants from the state's list and is restoring those to the state's list.
 - EPA is also adding 86 water bodies and any associated pollutants to Missouri's list of impaired waters.

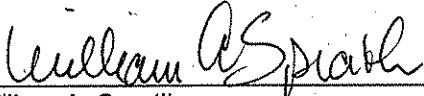
EPA is opening a public comment period to receive comments concerning the decision to add additional segment lengths to certain waters included by Missouri on their 303(d) list and the decision to restore/add 135 water body/pollutant pairs to the state's list. The list of the 135 water bodies which EPA is restoring/adding to the 2004/2006 Missouri list, as well as the rationale supporting this action, is included in the enclosure to the decision letter to MDNR.

HOW TO PROVIDE COMMENTS:

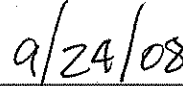
EPA is soliciting the public for comments on its proposed decisions to add and restore waters and pollutants to Missouri's 2004/2006 Section 303(d) list. EPA will consider written public comments in reaching its final decision on the additional water bodies and pollutants identified for inclusion on Missouri's final list. Written comments must be sent by e-mail to landewe.rebecca@epa.gov or postmarked on or before November 24, 2008, [60 days] to Rebecca Landewe, Missouri Water Quality Standards Coordinator, Water Quality Management Branch, EPA Region 7, 901 N. 5th Street, Kansas City, KS 66101.

The list and supporting information may be obtained online at www.epa.gov/region07. The list, supporting information and administrative record, which includes all relevant documents and correspondence for this action, are available upon request by mail or phone from Rebecca Landewe, Missouri Water Quality Standards Coordinator, Water Quality Management Branch, EPA Region 7, 901 N. 5th Street, Kansas City, KS 66101, (913) 551-7861 or toll-free at (800) 223-0425.

A final decision to identify additional water quality-limited (i.e., impaired) water body segments and associated pollutants in Missouri will be made after the close of the public comment period. EPA Region 7 will notify each person who submitted written comments of the final decision. The final decision will be published on the Internet at www.epa.gov/region07.



William A. Spratlin
Director
Water, Wetlands and Pesticides Division
EPA, Region 7



Date